

02-23-06

ZAC/IFW

US Serial No. 10/561,749
Page 1 of 4



Attorney File Ref: 102792-133 (11256P3 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Lamson NGUYEN et al.
Serial No.: 10/561,749
Filed: December 21, 2005
Examiner: To Be Assigned
Art Group: To Be Assigned
Title: **IMPROVED DISPENSING DEVICE**

BY USPS EXPRESS MAIL

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 – 1450

Dear Sir:

PETITION TO ADMIT OATH & DECLARATION PURUSANT TO

37 CFR 1.47(a), 35 USC 118

(JOINT INVENTOR -- INVENTOR UNAVAILABLE - 'CANNOT BE REACHED')

The undersigned respectfully requests recognition of the satisfaction of the requirements for filing of an application in the USPTO pursuant to 37 CFR 1.47(a), 35 USC 118, notwithstanding the unavailability of the named joint inventor to sign the *Combined Oath, Declaration and Power of Attorney* in the application, and to permit the assignee, Reckitt Benckiser Inc., to continue prosecution of the application as successor in interest of the joint named inventor, Lamson Nguyen.

To date the undersigned has not yet received a *Notice to File Missing Parts* in this application.

In order to support this *Petition*, the applicant encloses copies of the following documents for consideration by the Office.

(A) *Combined Oath, Declaration and Power of Attorney* in the application, executed by co-inventor Jeanne Weller.

(B) A copy of an executed *Assignment* document transferring ownership of the invention of US Ser. No. 10/561,749 from inventor Jeanne Weller to Reckitt Benckiser Inc. dated January 13, 2006

(C) An *Affidavit of Andrew N. Parfomak, Esq.*, dated 22.Feb.2006 concerning the inability to contact the named joint inventor, Lamson Nguyen, whose last known mailing/residence address was:

278 Maple Avenue
Somerset, NJ 08873
USA

(D) A copy of the letter dated 27.Jan.2006 addressed to Lamson Nguyen at his last known mailing/residence address as referred to in the *Affidavit of Andrew N. Parfomak, Esq.*

(E) A copy of a Federal Express receipt for delivery of documents by Norris McLaughlin & Marcus, PA to named joint inventor Lamson Nguyen and proof of adult signature at Mr. Nguyen's address accepting said documents on 28.Jan .2006.

(F) A copy of a document titled *Assignment/Agreement* having an effective date of 26 June 2004 executed by both co-inventors, Lamson Nguyen and Jeanne Weller of the inventions disclosed in patent applications identified as GB 0314928.3 and GB 0326136.9.

(G) A copy of *Box No. VIII (iv) Declaration: Inventorship* of the original *PCT – Demand* related to the instant application executed by Lamson Nguyen on 22.July.2004 and Jeanne Weller on 21.July.2004.

The applicant, Reckitt Benckiser Inc., prays that this Petition be granted to avoid irreparable damage, e.g, loss of rights to its patent application, as well as potential loss of its rights to any patent(s) which may issue therefrom to the inventor's successor in interest. From the foregoing documents (F) and (G), the applicant believes that all rights and interest in the subject matter of the present US application have been transferred to Reckitt Benckiser Inc. From the foregoing documents (A) through (E), all dated subsequent to documents (F) and (G), the applicant believes that a sufficient showing has been supplied to permit Reckitt Benckiser Inc. to assume prosecution of the present US application in the stead of Lamson Nguyen.

Favorable consideration of this *Petition*, and return to the normal course of prosecution is respectfully requested. It is respectfully requested that the *Combined Oath & Declaration and Power of Attorney* be admitted pursuant to 37 CFR 1.47(b) wherein the inventor relating to this US patent application cannot be reached. It is further respectfully requested that all claims to priority rights be recognized.

Authorization to Charge USPTO Deposit Account

Please charge the necessary *Petition* fee, as well as any further fees which may be required to ensure consideration and entry of this paper, and any of the enclosures thereto to USPTO Deposit Account 14-1263 in the name of Norris, McLaughlin & Marcus, P.A.

Should the Office believe that telephonic communication would advance the prosecution of the instant application, or should there by any question concerning this paper, the Office is invited to telephone the undersigned at the number given below.

Respectfully submitted,

Andrew N. Parfomak
Andrew N. Parfomak
Reg. No. 32,431
Norris, McLaughlin & Marcus, PA
875 Third Avenue, 18th Floor
New York, NY 10022

22 Feb 2006

Date:

Tel: 212 808-0700

Enclosures – as indicated

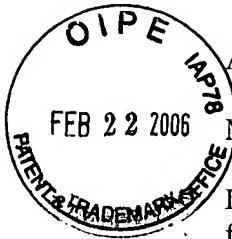
CERTIFICATE OF EXPRESS MAILING

I certify that this document, and any attachments thereto, are being deposited with the US Postal Service with sufficient postage as Express Mail on the date indicated above and are addressed to the: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

Kimberly Brittingham
Kimberly Brittingham

2/22/06
Date

**COMBINED OATH, DECLARATION
AND POWER OF ATTORNEY**



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I am an original, first and joint of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPROVED DISPENSING DEVICE

the specification of which has been filed on 21 December 2005 in the U.S. Patent and Trademark Office as a 371 of PCT/GB2004/002267.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under title 35, U.S.C. §119 of any foreign application(s) for patent or inventor certificates listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application			Priority Claimed
0314928.3	Great Britain	26 June 2003	[X] Yes [] No
(Number)	(Country)	(Day/Month/Year Filed)	[X] Yes [] No
0326136.9		7 November 2003	[X] Yes [] No
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim to benefit under 35 U.S.C. §119 (e) of any United States Provisional application(s) listed below:

US Provisional Application Serial No.:	Filing Date:

I hereby claim the benefit under Title 35, U.S.C. §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, U.S.C. §112, I acknowledge the duty to disclose material information is defined in Title 37, Code of Federal Regulations §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

US Patent Application:	Filing Date:	Status:

I hereby declare that all statements made herein of my own knowledge or true and that all statements made on information and belief are believed to be true; and further that these statements for made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Power of Attorney: As a named inventor, I hereby appoint

<input checked="" type="checkbox"/>	Practitioners Associated with the Customer Number:	27389
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as my/our attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from the Assignee of this application as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned.

SEND ALL CORRESPONDENCE TO: Norris, McLaughlin & Marcus PA 875 Third Avenue, 18 th Floor New York, NY 10022	DIRECT TELEPHONE CALLS TO: Andrew N. Parfomak (212) 808-0700
---	--

Full Name of First Inventor:	Lamson NGUYEN
Inventor's Signature	
Date of Signature:	
Inventor's Citizenship:	USA
Residence Address:	278 Maple Avenue, Somerset, New Jersey 08873, UNITED STATES OF AMERICA
Post Office Address:	-same as residence address-

Full Name of Second Inventor:	Jeanne WELLER
Inventor's Signature	<i>Jeanne Weller</i>
Date of Signature:	1/13/2006
Inventor's Citizenship:	USA
Residence Address:	Reckitt Benckiser Inc, One Phillips Parkway, Montvale, New Jersey 07645, UNITED STATES OF AMERICA
Post Office Address:	-same as residence address-

ASSIGNMENT

In consideration of One Dollar (\$1.00) in hand paid and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned [hereinafter (collectively) named "Assignor"] hereby assigns and transfers to

**Reckitt Benckiser Inc,
Morris Corporate Center IV,
399 Interpace Parkway,
Parsippany, 07054-022,
UNITED STATES OF AMERICA**

, a Delaware corporation (hereinafter named "Assignee"), its successors, legal representatives and assigns, the entire right, title and interest in and to Assignor's application for Letters Patent of the United States, Application Serial No 10/561749 , filed on 21 December 2005 . (I hereby agree that the attorney on file may insert the correct filing details after execution.) entitled

IMPROVED DISPENSING DEVICE

and to Assignor's entire right, title and interest in any and all inventions, whether joint or sole, disclosed in said application for Letters Patent, and in any and all divisional or continuation or renewal applications that may be filed for United States Letters Patent for any and all of said inventions, and in and to any and all patents that may be granted on the foregoing applications and any reissue or extension thereof.

The Assignor hereby authorizes and requests the Commissioner of Patents to issue any and all of said Letters Patent to said Assignee.

For said consideration, the Assignor hereby agrees upon the request of said Assignee, its successors, legal representatives or assigns, to execute any and all United States divisional, continuation and renewal applications for said invention, and any and all necessary oaths, supplemental oaths or declarations or supplemental declarations or affidavits relating thereto, and any application for the reissue or extension of any United States Letters Patent that may be granted upon said application that said Assignee, its successors, legal representatives or assigns may deem necessary or expedient.

For the said consideration the Assignor further agrees upon the request of said Assignee, its successors, legal representatives or assigns, in the event of said application or any division thereof, or Letters Patent issued thereon or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate to the best of the ability of the Assignor with said Assignee, its successors, legal representatives or assigns in the matters of preparing and executing the Preliminary Statement and giving and producing evidence in support thereof, the Assignor hereby agreeing to perform upon such request, any and all affirmative acts necessary to obtain said Letters Patent and vest all rights therein hereby conveyed in said Assignee, its successors, legal representatives or assigns as fully and entirely as the same would have been held and enjoyed by the assignor if this assignment and sale had not been made.

Assignor hereby binds himself, his heirs, legal representatives, administrators, and assigns properly to execute without further consideration, any and all applications, petitions, oaths, assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment and transfer hereby made, or intended or agreed to be made.

And for said considerations, the Assignor hereby assigns to said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in said invention or improvement for any and all foreign countries and agrees upon the request of said Assignee, its successors, legal representatives or assigns to execute any and all documents that shall be required of the Assignor to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee, its successors, legal representatives or assigns.

Signature: _____
Lamson NGUYEN

Date: _____

Signature: Jeanne Weller
Jeanne WELLER

Date: 1/13/2006



Attorney File Ref: 102792-133 (11256P3 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Lamson NGUYEN et al.
Serial No.: 10/561,749
Filed: December 21, 2005
Examiner: To Be Assigned
Art Group: To Be Assigned
Title: IMPROVED DISPENSING DEVICE

BY USPS EXPRESS MAIL

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313 – 1450

Dear Sir:

AFFIDAVIT OF ANDREW N. PARFOMAK, ESQ.

I, Andrew N. Parfomak, the undersigned Affiant, do state as follows:

1. I am a patent attorney at the law firm of Norris McLaughlin & Marcus, PA (New York, NY, USA).
2. This Affidavit is being concurrently filed with and is in support of a *Petition to Admit Oath & Declaration Pursuant to 37 CFR 1.47(a), 35 USC 118 (Joint Inventor – Inventor Unavailable – ‘Cannot Be Reached’)*.
3. On January 27, 2006 I had prepared and our office transmitted in a single envelope documents requiring review by Lamson Nguyen, and his signature. With regard to the instant application the documents sent included:

> Letter from the undersigned, dated January 27, 2006 addressed to Lamson Nguyen enclosing a copy of the *Combined Oath, Declaration and Power of Attorney* in the application, being affixed to a copy of the specification and figures of the above identified patent application as filed in the USPTO. Said letter included an enclosure which would provide Lamson Nguyen with an opportunity to provide a written refusal to comply with our request, but not provide any specific reason why.

4. The envelope transmitted to Lamson Nguyen also included a prepaid, preaddressed FEDEX return envelope with a label bearing FEDEX Tracking No. 790302428388, and also, a prepaid business size letter envelope addressed to myself in New York, NY which would be appropriate if Lamson Nguyen elected to return the enclosure to my attention, but retain the remaining documents transmitted.

5. On February 15, 2006 my secretary confirmed with FEDEX that our courier package containing the documents was delivered on January 28, 2006 to Lamson Nguyen's last known address.

6. To date, our offices have not been contacted by Lamson Nguyen, nor have we received any response from Lamson Nguen transmitting any of the foregoing documents.

7. I declare further that all statements made herein are true and that these statements are made with the full knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of this patent application or any patents issuing therefrom.

Respectfully submitted,

Andrew N. Parfomak

Andrew N. Parfomak, Esq.

The Affiant

22 Feb 2006

Date

NEW JERSEY OFFICE
P.O. BOX 1018
SOMERVILLE, NJ 08876-1018



NORRIS MC LAUGHLIN & MARCUS, PA

ATTORNEYS AT LAW

875 THIRD AVENUE
18TH FLOOR
NEW YORK, NY 10022
(212) 808-0700
FAX: (212) 808-0844
WWW.NMMLAW.COM

 MERITAS LAW FIRMS WORLDWIDE

RB 133

PER OVERNIGHT EXPRESS, SIGNATURE REQUIRED

January 27, 2006

Mr. Lamson Nguyen
278 Maple Avenue
Somerset, New Jersey 08873

Re: Documents Requiring Signatures

Dear Lamson:

It's been a long time since I've heard from you!

I am enclosing a set of documents which, as you know, require your signature. I am reminded by Bob Hyde, Esq. of Reckitt Benckiser, Inc. that by virtue of your prior employment you were obliged to previously sign these documents, and there is a continuing obligation to sign the enclosed documents relating to inventions made during the term of your employment at Reckitt Benckiser, Inc. For your convenience, I have attached these documents in ordered sets relating to each identified application. Each document requiring your signature includes a small removable red flag which indicates where you should sign and, where necessary, date the document. I would ask that you use permanent blue ink in order to sign these documents. (Frequently, we are queried whether a black-ink signature is the genuine copy or a photocopy; using blue ink eliminates the possibility of such a mix-up.)

You will also find enclosed a postage-paid courier envelope which has been pre-addressed to my New York office. If you do sign the enclosed documents, I would very much appreciate it if you would merely return them to me in that postage-paid courier envelope.

Also, if for whatever reason you decline to sign these documents, notwithstanding the continuing obligations which I have mentioned above, I am enclosing a separate letter addressed to you which I ask that you review and sign, and return to me in the postage-paid envelope provided. I am unaware of any reasons which you may have for not cooperating in signing these documents, however, if you do decline to sign these documents, I would very much appreciate if you could at least sign this second enclosed letter and return it to me at my New York office.

If you have any questions regarding this request, or if you would just like to talk to me on any issue relating to the same, of course feel free to give me a call directly at my New York office, or alternately, send me an e-mail at anparfomak@nmmlaw.com.

Turning now to the documents, enclosed please find the following documents for your review and signature:

Reckitt Benckiser file 11006P1; NMM file 102792-008

U.S. Combined Oath, Declaration and Power of Attorney, having affixed thereto a copy of the application as filed on September 29, 2004 in the USPTO;
U.S. Assignment of Patent Application.

Reckitt Benckiser file 11256P3 US; NMM file 102792-133

U.S. Combined Oath, Declaration and Power of Attorney, having affixed there to a copy of the U.S. application as filed on December 21, 2005 in the USPTO;
U.S. Assignment of Patent Application.

Reckitt Benckiser file 11593D3 US; NMM file 102792-481

U.S. Combined Oath, Declaration and Power of Attorney, having affixed there to a copy of the U.S. application as filed on August 31, 2005 in the USPTO;
U.S. Assignment of Patent Application.

Lamson, I hope that you can find the time to review and execute the above-identified documents attached to this letter and return them to me as soon as is practicable.

Otherwise, as I indicated above, if for whatever reason you decline to execute these documents, then I would be personally very much obliged if you could return at least the further letter which I enclose using the postage-paid envelope provided.

Thank you very much for your time and consideration, and should you have any questions, please do not hesitate to contact me.

Very best regards,



Andrew N. Parfomak, Esq.

Enclosures – as indicated

cc: Robert A. Hyde, Esq./Reckitt Benckiser, Inc.

NORRIS McLAUGHLIN & MARCUS, PA

ATTORNEYS AT LAW

NEW JERSEY OFFICE
P.O. BOX 1018
SOMERVILLE, NJ 08876-1018

875 THIRD AVENUE
18TH FLOOR
NEW YORK, NY 10022
(212) 808-0700
FAX: (212) 808-0844
WWW.NMMLAW.COM

 MERITAS LAW FIRMS WORLDWIDE

PER OVERNIGHT EXPRESS, SIGNATURE REQUIRED

January 27, 2006

Mr. Lamson Nguyen
278 Maple Avenue
Somerset, New Jersey 08873

I, Lamson Nguyen, acknowledge that I have received the following documents in a letter dated January 27, 2006 from Andrew N. Parfomak, Esq. acting on behalf of Reckitt Benckiser, Inc.

These documents include:

Reckitt Benckiser file 11006P1; NMM file 102792-008

U.S. Combined Oath, Declaration and Power of Attorney, having affixed thereto a copy of the application as filed on September 29, 2004 in the USPTO;
U.S. Assignment of Patent Application.

Reckitt Benckiser file 11256P3 US; NMM file 102792-133

U.S. Combined Oath, Declaration and Power of Attorney, having affixed there to a copy of the U.S. application as filed on December 21, 2005 in the USPTO;
U.S. Assignment of Patent Application.

Reckitt Benckiser file 11593D3 US; NMM file 102792-481

U.S. Combined Oath, Declaration and Power of Attorney, having affixed there to a copy of the U.S. application as filed on August 31, 2005 in the USPTO;
U.S. Assignment of Patent Application.

I have reviewed the same, however I decline/refuse to execute these documents having been transmitted to me.

Date: _____

Lamson Nguyen



FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643
Telephone: 901-369-3600

02/15/2006

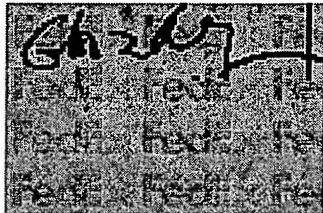


Dear Customer:

The following is the proof of delivery you requested with the tracking number **790302428388**.

Delivery Information:

Status: Delivered **Delivery date:** Jan 28, 2006 11:04
Signed for by: G.NGUYEN
Service type: Priority Envelope



Shipping Information:

Tracking number: 790302428388 **Ship date:** Jan 27, 2006
Weight: 2.0 lbs.
Recipient: **Shipper:**
Somerset, NJ US NEW YORK, NY US
Reference 102792-481

Thank you for choosing FedEx Express.

FedEx Worldwide Customer Service
1.800.GoFedEx 1.800.463.3339

ASSIGNMENT/AGREEMENT

THIS ASSIGNMENT is made the 26th day of June 2004

BETWEEN: Lamson Nguyen of Reckitt Benckiser Inc, One Phillips Parkway, Montvale, New Jersey 07645, United States of America; and
Jeanne Marie Weller of Reckitt Benckiser Inc, One Phillips Parkway, Montvale, New Jersey 07645, United States of America

(hereinafter called "the Assignors", which expression where the context so requires shall include their successors in title) of the one part

and: **Reckitt Benckiser Inc**

whose registered office is at **Morris Corporate Center IV, 399 Interpace Parkway, Parsippany, New Jersey 07054, United States of America**

(hereinafter called "the Assignee" which expression where the context so requires shall include its successors in title) of the other part

WHEREAS:-

- (a) the Assignors claim to be the or an inventor of the invention (hereinafter called "the invention") described in the specification accompanying the application for a patent details of which are set out in the first schedule hereto (hereinafter called "the scheduled application")
- (b) the Assignors have agreed with the Assignee to assign or confirm (as the case may be) to the Assignee rights in the invention as hereinafter set forth.

NOW THEREFORE IT IS AGREED AND DECLARED as follows:-

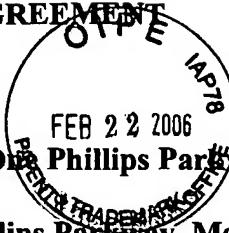
1. In consideration the sum of £1.00 (one pound) paid by the Assignee to the Assignors (receipt of which the Assignors hereby acknowledge) the Assignors hereby assign unto the Assignee to the extent of their right, title and interest therein (if any):
 - (i) the right to apply for and obtain a patent or other forms of protection in respect of the invention in the countries set out in the second schedule hereto (hereinafter called the scheduled countries) including the right to make a further application in respect of any part or parts of the matter contained in any earlier application.
 - (ii) the right to claim priority from the scheduled application under the terms of the International Convention.

TO HOLD the same unto the Assignee absolutely.

2. The Assignors hereby covenant and agree with the Assignee that they will as and when required by the Assignee so to do execute sign and do all such instruments applications documents acts and things as may be required by the Assignee to enable the Assignee or its nominee to enjoy the full benefit of the rights hereby assigned and to apply for and obtain a patent or other forms of protection in respect of the invention in the scheduled countries and fully and effectively to vest the same in the Assignee or as it shall direct.
3. In this Assignment words importing the masculine gender shall include the feminine and words importing the singular shall include the plural.

IN WITNESS whereof the Assignor has hereunto set his hand and the Assignee has caused these presents to be executed the day and year first before written.

11256P3GB



THE FIRST SCHEDULE

Country of Application	Date of Filing	Number
GB	26 June 2003	0314928.3
GB	7 November 2003	0326136.9

THE SECOND SCHEDULE

PCT (all possible Designations)

Malaysia, Pakistan, Chile, Argentina and Thailand

SIGNED by the Assignor..... *Lamson Nguyen*.....

Lamson NGUYEN

Signature of Witness: *Jeanne Marie Weller*

Name of Witness: *Mary Weller*

Address: 1 Philip Parkway - Mahwah NJ 07445

Occupation: R.D

SIGNED by the Assignor..... *Jeanne Marie Weller*

Jeanne Marie WELLER

Signature of Witness: *Mary Weller*

Name of Witness: *Mary Weller*

Address: 1 Philip Parkway - Mahwah NJ 07445

Occupation: R.D

SIGNED for and on behalf of the Assignee.....

Elizabeth Anne DICKSON
Elizabeth Anne DICKSON, Assistant Secretary
RECKITT BENCKISER INC.

In the presence of: *CJ*

Name of Witness: *CLAIRE TODD*

Address: c/o legal dept, RECKITT BENCKISER

Occupation: formalities officer.

Box No. VIII (iv) DECLARATION: INVENTORSHIP (only for the purposes of the designation of the United States of America)
The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.



**Declaration of inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))
for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications:

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Lamson NGUYEN

Residence: Montvale, New Jersey

(city and either US state, if applicable, or country)

Mailing Address: Reckitt Benckiser Inc, One Phillips Parkway, Montvale, New Jersey 07645, USA

Citizenship: United States

Inventor's Signature: *Lamson Nguyen*

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: 7/22/04

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: Jeanne Marie WELLER

Residence: Montvale, New Jersey

(city and either US state, if applicable, or country)

Mailing Address: Reckitt Benckiser Inc, One Phillips Parkway, Montvale, New Jersey 07645, USA

Citizenship: United States

Inventor's Signature: *Jeanne Marie Weller*

(if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: July 21, 2004

(of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".



Attorney Docket No.: 102792-133 (11256P3 US)

APPLICANT: Lamson NGUYEN et al.

TITLE: IMPROVED DISPENSING DEVICE

EXPRESS MAIL CERTIFICATE

“Express Mail” mailing label number: EV 690628291 US

Date of Deposit: February 22, 2006

I hereby certify that the following items:

1. Petition to Admit Oath & Declaration
2. Combined Oath, Declaration and Power of Attorney executed by Jeanne Weller
3. Copy of an Assignment executed by Jeanne Weller
4. Copy of letter to Lamson Nguyen dated January 27, 2006
5. Affidavit of Andrew N. Parfomak
6. Copy of Federal Express tracking receipt
7. Copy of Assignment/Agreement dated June 26, 2004
8. Copy of Box No. VIII (iv) Declaration: Inventorship

are being deposited with the United States Postal Services “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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